

# Lawmaker Seeks Inquiry Into Ohio Vote

By TOM ZELLER Jr.

The ranking Democratic member of the House Judiciary Committee, Representative John Conyers Jr. of Michigan, plans to ask the Federal Bureau of Investigation and a county prosecutor in Ohio today to explore "inappropriate and likely illegal election tampering," in at least one and perhaps several Ohio counties.

The request for an investigation, made in a letter that was also provided to The New York Times, includes accounts from at least two county employees, but is based largely on a sworn affidavit provided by the Hocking County deputy director of elections, Sherole Eaton.

Among other things, Ms. Eaton says in her affidavit that a representative of Triad Governmental Systems, the Ohio firm that created and maintains the vote-counting software in dozens of Ohio counties, made several adjustments to the Hocking County tabulator last Friday, in advance of the state's recount, which is taking place this week.

Ohio recount rules require that only 3 percent of a county's votes be tallied by hand, and typically one or more whole precincts are selected and combined to get the 3 percent sample. After the hand count, the sample is fed into the tabulator. If there is no discrepancy, the remaining ballots can be counted by the machine. Otherwise, a hand recount must be done for the whole county.

Ms. Eaton contends that the Triad employee asked which precinct Hocking County planned to count as its representative 3 percent, and, upon being told, made further adjustments to the machine.

County officials decided to use a different precinct when the recount was done yesterday. No discrepancies were found.

"This is pretty outrageous," Mr. Conyers said. "We want to pursue it as vigorously as we can."

But Brett Rapp, the president of Triad, said that while it would be unusual for an employee to ask about a specific precinct, preparing the machines for a recount was standard procedure, that it was done in all 41 counties where Triad handles vote counts, and that he welcomed any investigation.

"I've been doing this since 1985, and in all my experience this is the first time that we have had any complaints whatsoever," Mr. Rapp said.